

S. Kuttel
2/29/03

#10/11/03
appeal

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian Thornton

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§

Group Art Unit: 3752

Serial No.: 09/761,940

Filed: January 17, 2001

Examiner: Robin Octavia Evans

For: Lawn Chemical Application System

RECEIVED

FEB 19 2003

Commissioner for Patents
Washington, D.C. 20231

TECHNOLOGY CENTER R3700

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed September 10, 2002 finally rejecting claims 1-10 and 16-18. The rejected claims that are appealed are claims 1-10 and 16-18.

1. STATUS OF APPLICANT

This application is entitled to small entity status.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b) the fee for filing the Notice of Appeal is \$160.00.

3. EXTENSION OF TERM

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136 apply.

Accompanying this Notice of Appeal is a petition for a 2-month extension of time under 37 C.F.R. § 1.136. The final Office action provided for a shortened period for response which expired on December 10, 2002. The accompanying petition, if granted, will extend the period for response until February 10, 2003, which does not exceed the six month statutory period.

If an additional extension of time is required, please consider this a petition therefor.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 160.00

Extension fee \$ 205.00

TOTAL FEE DUE \$ 365.00

5. FEE PAYMENT

Enclosed is a check in the sum of \$ 365.00

The Commissioner is hereby authorized to refund any overpayment or to charge any underpayment of any fees under 37 C.F.R. §§ 1.16 and 1.17 associated with this communication to Deposit Account No. 50-0395. This transmittal letter is being submitted in duplicate.

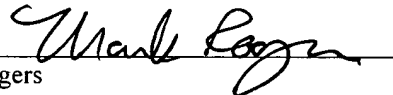
Respectfully submitted,

Date: 2-10-03


Mark Rogers
Registration No. 34, 238

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number ET803360415VS. I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 addressed to the Commissioner for Patents, Washington, D.C. 20231 on 2-10-03


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